

DEC 15 2006

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576
67-7857
12-15-06
C082848NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RAFTER HIL FARMS INC Phone (208) 549-0248Mailing Address 732 HALE RD. WEISER IDAHO Zip 836722. Date of Priority (Only one (1) per claim) FEBRUARY 28, 19913. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 11 N Range 6 W Section 25,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WELL AND PUMP DISCHARGING
INTO GRAVITY OPEN DITCH

SCANNED

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount .70 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .70 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11N</u>	<u>6W</u>	<u>25</u>			<u>10</u>												<u>25</u>		<u>35</u>
																			<u>35</u>

Total number of acres irrigated 35

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM or None ()

14. Remarks: WEISER IRRIGATION DISTRICT.

Last Name RAFTER HLPAPAS Ident No. _____

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 67-07857
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Rafael H.C. Farms, Inc. by Date Dec 11/2006
Vernon Ladley, Pres. Date _____

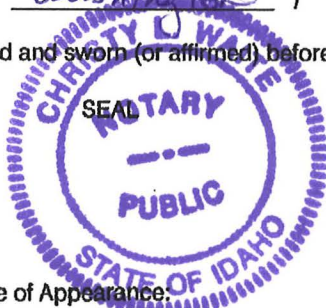
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 14th day of December 2006



Notary Public Christy D. Weiser

Residing at Weiser, ID

My Commission Expires 11/4/09

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name RAFAEL H.C. FARMS Ident. Number _____

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TN-11N
RA.-6W
SEC.-25

SECTION 25

NESW

WELL
(POINT
OF
DIVERSION)

NWSW

SW SW

NESW - 10 ACRES

SESW - 25 ACRES

Map of Washington Farm 1382
Tract 1000

ALL LAND WITHIN
BLACK OUTLINE ARE
THE LANDS IRRIGATED



Map Printed: Apr 12, 2004

SCANNED

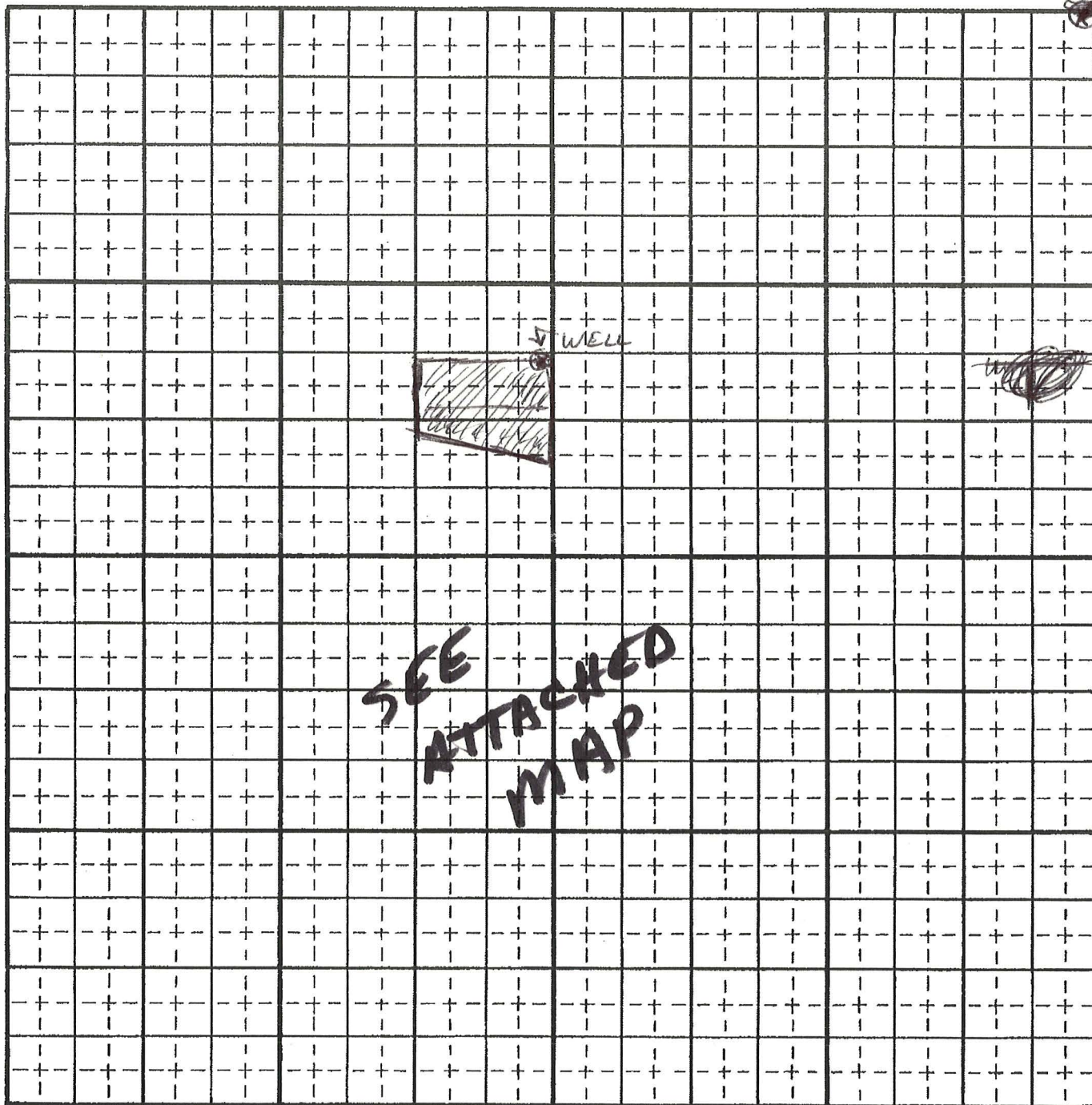
DEC 18 2006

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

~~1" = 1/4 mi.~~

~~1" = 1/4 mi.~~



Last Name RAFTER, H.L. FARMS INC. Ident No. _____

SCANNED

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Idaho Department of Water Resources Receipt

Receipt ID C082848

Payment Amount \$70.00 Date Received 12/15/2006 2:00:34 PM Region State Status
Payment Type Check Check Number 9030

Payer RAFTER H L FARMS INC

Comment NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$70.00	ADJUDICATION FILING FEE	0337	41503	1155	



Signature Line (Dept. Representative)

12/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-7857

NAME AND ADDRESS: RAFTER H L FARMS INC
732 HALE RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

QUANTITY: 0.700 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 157.5 af for the lands above.

PRIORITY DATE: 02/28/1991

POINT OF DIVERSION:

T11N R06W S25 SWNESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.700 CFS

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R06W S25

NESW

11.00

T11N R06W S25

SESW

24.00

35 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Weiser Irrigation District.



Idaho Department of Water Resources

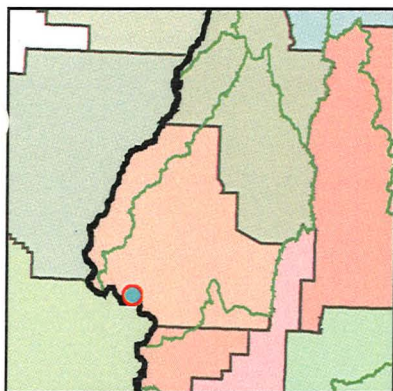
SRBA Recommendation:

67-7857

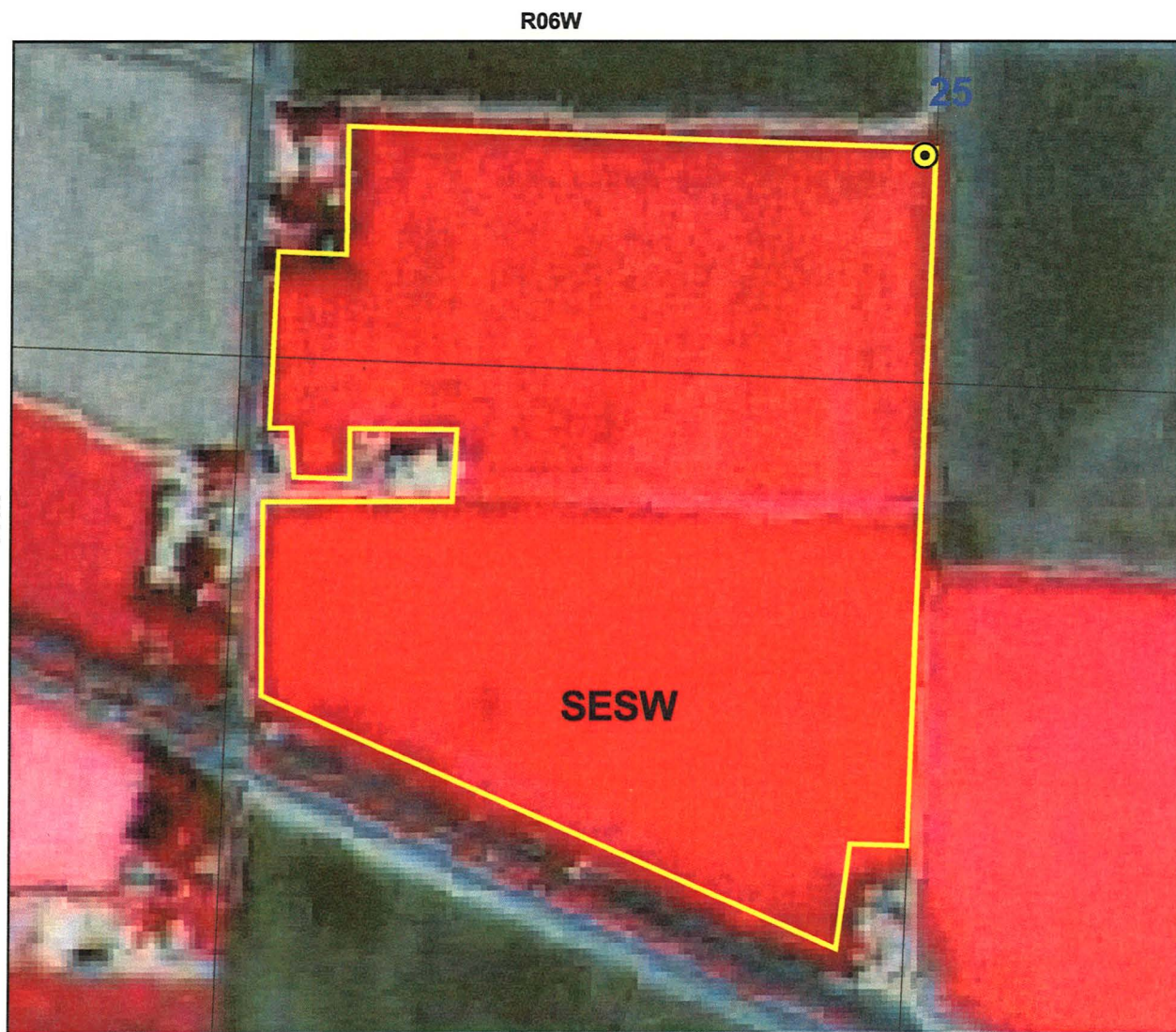
(Irrigation)

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by IDWR State Office
On Tuesday, December 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7857 V1

WATER RIGHT NUMBER: 67-7857 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAFTER H L FARMS INC 732 HALE RD WEISER, ID 83672 (208)549-0248

Priority Date: 02/28/1991

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.700 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4SW1/4	Sec. 25, Twp 11N, Rge 06W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	06W	25									11.0							24.0	35.0

Total Acres: 35

Conditions of Approval:

1. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 157.5 af for the lands above.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7857 V1

6. Use of this right is combined with water from Weiser Irrigation District.

Remarks:Comments:

1. csaxton 12/19/2006 Recommendation

Comment: The claimant appears to have claimed the QQ for the POD and POD discriptions backward. Each of them is flipped. The POD was licensed for NESW and the claimant claimed SWNE. POU was licensed for NESW and SESW and the claimant claimed SWNE and SWSE. I am sure this is an error and will recommend the POD and POU as licensed. Plus the map provided by the claimant shows the licensed POU as the correct POU.

2. csaxton 12/19/2006 From Claim (1)

Comment: USE OF THIS RIGHT IS COMBINED WITH WATER FROM WEISER IRRIGATION DISTRICT.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			12/19/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/19/2006 7:32:11 AM	csaxton	Updated shape
POD	12/19/2006 7:32:26 AM	csaxton	Updated PLS
POU	12/19/2006 7:36:59 AM	csaxton	Updated PLS for Active POU
POU	12/19/2006 7:36:47 AM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7857 V1

Summary	12/19/2006 7:41:25 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07857

Priority: February 28, 1991

Maximum Diversion Rate:

0.70 CFS

This is to certify, that RAFTER HL FARMS INC
732 HALE RD
WEISER ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 28, 1991; and has submitted Proof of Beneficial Use on March 9, 1992. An examination indicates that the works have a diversion capacity of 0.730 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.70 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 25, Township 11N, Range 06W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	06W	25	NESW 10	SESW 25		35

Total number of acres irrigated: 35

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 157.5 af for the lands above.

MICROFILMED

NOV 04 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07857

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22nd
day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

NOV 04 1997

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25

25



PERMIT 67-7857 INIT CH
T. R. S. Q/Q
P/D IIN GW 25 NESW
SCALE
PHOTO ID.

NOV 04 1937